

House Study Bill 217 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

1 An Act exempting persons or entities owning, controlling,
2 operating, or managing alternate energy production
3 facilities or combined heat and power systems under
4 specified circumstances from public utility regulations.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 476.1, subsection 5, Code 2013, is
2 amended to read as follows:

3 5. a. This chapter does not apply to waterworks having
4 less than two thousand customers, municipally owned waterworks,
5 joint water utilities established pursuant to chapter 389,
6 rural water districts incorporated and organized pursuant
7 to chapters 357A and 504, cooperative water associations
8 incorporated and organized pursuant to chapter 499, or to
9 a person furnishing electricity to five or fewer customers
10 either by secondary line or from an alternate energy production
11 facility or small hydro facility, from electricity that is
12 produced primarily for the person's own use.

13 b. This chapter additionally does not apply to a person or
14 entity who owns, controls, operates, or manages an alternate
15 energy production facility or combined heat and power system
16 that is located on a customer's property and who provides or
17 sells the electricity or heat generated from the alternate
18 energy production facility or combined heat and power system
19 to a public utility or to the customer on whose property the
20 facility or system is located. For purposes of this paragraph,
21 a customer's property shall include all contiguous property
22 owned or leased by the customer without regard to interruptions
23 in contiguity caused by easements, public thoroughfares,
24 transportation rights-of-way, or utility rights-of-way.

25 EXPLANATION

26 This bill provides that a person or entity who owns,
27 controls, operates, or manages an alternate energy production
28 facility or combined heat and power system located on a
29 customer's property who provides or sells the electricity
30 or heat generated from the facility or system to a public
31 utility or to the customer is exempt from regulation as a
32 public utility under Code chapter 476. The bill provides that
33 a customer's property shall include all contiguous property
34 owned or leased by the customer without regard to interruptions
35 in contiguity caused by easements, public thoroughfares,

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1 transportation rights-of-way, or utility rights-of-way.